

SPECIAL SESSION

OCTOBER 23, 2013

The City Council of the City of Athens met in Special Session on Wednesday, October 23, 2013, 11:30 a.m. in the Council Chambers of the City Hall Annex with the following members present, to-wit:

Jerry D. Vaught, Mayor  
Carol Barton  
Aubrey Jones  
Monte Montgomery

Pam Burton, City Administrator  
Pam Watson, City Secretary  
Conor Bateman, City Attorney

others present: Glen Herriage, Gary Crecelius, John McQueary, David Hopkins, Haven Cox, Sherri Skeeters, Tyler Hendrickson and Rich Flowers;

with the following member absent: Elaine Jenkins;

constituting a quorum at which time the following proceedings were enacted, to-wit:

The invocation was given by Councilmember Montgomery.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

DIRECTOR OF PLANNING & DEVELOPMENT'S REPORT

A) STATUS REPORT ON CURRENT & PROPOSED PROJECTS

Gary Crecelius, Director of Planning & Development, updated on the following:

- 1) Four (4) homes under construction
- 2) Arabella of Athens, 413 Gibson Rd., framing/sheetrocking
- 3) Two (2) pools completed
- 4) Anderson Drug, 101 Robbins Rd. & 419 S. Palestine St., finishing out
- 5) Tyler Street Plaza, 909 E. Tyler St., construction in progress
- 6) Country Place Sr. Living, 209 Wood St., no contact
- 7) MedLogics, 1627 Enterprise, sheetrocking
- 8) Future Matrix, 1605 Enterprise, sheetrocking and electrical finish out
- 9) Osmosis Salon & Spa, 1414 E. Tyler #102, remodeling for salon
- 10) Property on E. Tyler St. has been purchased by restaurant.

FINANCIAL REPORT

David Hopkins, Director of Finance, presented the August financials.

DISCUSS ITEMS FOR FUTURE AGENDAS;

A) DISCUSS NAMING CREATIVE BENEFITS AS INSURANCE BROKER OF RECORD

City Administrator Pam Burton recommended that Creative Benefits be named as Insurance Broker of Record for the City of Athens. The item will appear on the agenda on Monday, October 28, 2013.

B) DISCUSS RENEWAL OF MEDICAL INSURANCE WITH BLUE CROSS BLUE SHIELD OF TEXAS FOR CITY OF ATHENS EMPLOYEES

Ms. Burton explained that the City's current medial insurance carrier is Blue Cross Blue Shield of Texas and they are providing renewal rates with no increase for the upcoming year, recommending renewal with BCBS of Texas. She explained that although there is no rate increase, there will be a 3.5% fee added for each insured, effective January 2014, due to the Affordable Care Act. The item will appear on the agenda Monday.

**C) DISCUSS AUTHORIZING PIPELINE CROSSING AGREEMENT WITH UNION PACIFIC RAILROAD COMPANY**

Glen Herriage, Director of Utilities, explained that this Agreement will allow for a sewer bore for the Texas Community Development Block Grant (First-Time Sewer ) #712020, with the City being required to pay a \$2,500 permit fee. The item will appear on the agenda Monday.

**D) DISCUSS AUTHORIZING INTERLOCAL COOPERATION AGREEMENT WITH HENDERSON COUNTY FOR HOUSING AND CARE OF INMATES**

Ms. Burton explained that this Agreement is for the housing and care of City inmates incarcerated in the Henderson County Jail. She stated that Police Chief Buddy Hill has worked with the City Attorney and County Attorney to modify the Agreement and is recommending approval. The item will appear on the agenda Monday.

**DISCUSS ITEMS FOR FUTURE CONSENT AGENDA;**

**A) DISCUSS APPROVING MINUTES OF THE SEPTEMBER 12, 2013 JOINT SPECIAL SESSION, SEPTEMBER 18, 2013 SPECIAL SESSION, SEPTEMBER 23, 2013 REGULAR SESSION AND SEPTEMBER 30, 2013 SPECIAL SESSION**

These items will appear on the Consent Agenda.

**EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.071 CONSULTATION WITH ATTORNEY; CONSULTATION REGARDING CONTEMPLATED LITIGATION**

The City Council adjourned to Executive Session.

The City Council returned to Special Session.

**CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE SESSION REGARDING CONTEMPLATED LITIGATION**

A motion was made by Councilmember Jones, seconded by Councilmember Barton to 1) Authorize a budget adjustment in the amount of \$100,000.00 from the Utility fund for legal expenses resulting from contemplated litigation regarding Athens Municipal Water Authority's notice to City of Athens to discuss or modify the Agreement between A.M.W.A. and the City of Athens; 2) Authorize City Attorney Conor Bateman to retain Co-Counsel; and 3) Authorize two (2) Athens City Council representatives and Staff to meet with Athens Municipal Water Authority's representatives regarding the Agreement between A.M.W.A. and the City of Athens. The motion carried unanimously.

**PASSED AND APPROVED THIS THE 9<sup>TH</sup> DAY OF DECEMBER, 2013.**

ATTEST:

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Jerry D. Vaught, Mayor

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Pam Watson, City Secretary